

STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
ADDENDUM NO. 1  
AND  
ELECTRONIC BIDDING SYSTEM  
AMENDMENT NO. 1  
PROJECT NO. RD-20-3(1013)  
CONTROL NO. 80852  
CALL ORDER 815  
US-183/US-20, AINSWORTH EAST  
LETTING DATE: SEPTEMBER 3, 2009

The Schedule of Items for Group 9 is amended as follows:

1. The bid item "Mowing" has been added with a quantity of 20.000 HOUR.

The EBS generated bid items sheets must show this correction or the bid will be considered void.

\* \* \* \* \*

On page 8 of the Special Provisions, the provision titled **ENVIRONMENTAL COMMITMENT** is void and superseded by the following:

**ENVIRONMENTAL COMMITMENT**

Conservation measure for endangered species (American Burying Beetle)

1. No capture/relocation procedure is necessary.

2. Suitable Habitat

Suitable habitat for the American burying beetle (ABB) occurs along the entire project. Areas impacted during construction and areas used for material storage and construction staging (equipment and personal vehicle parking) shall be considered as work areas. The Contractor should be aware that any areas within or outside of the Right-of-Way not prepared as outlined in Conservation Measures 3a) and 3b) below will be off-limits during construction, unless approval is received from the United States Fish and Wildlife Service and Nebraska Game and Parks Commission.

3. Conservation Measures (Vegetation, Carrion Removal and Reporting)

Mowing and carrion removal shall begin two weeks prior to construction and proceed until September 15 or until the project is complete, whichever is earlier. These conservation measures shall be conducted by the Contractor unless otherwise noted.

- a) The Contractor shall mow vegetation to a height of 4-inches or less without causing erosion within the work zones outlined in the "Suitable Habitat" section of this document. The vegetation height will then be maintained to not exceed 8-inches. The mowing equipment shall be of such size to be capable of mowing a

minimum of 3.0 acres/hour. Along with mowing, the initial residual vegetation from mowing will be removed from the work zones by the Contractor. After the first mowing, if the vegetation height exceeds 8 inches, the Contractor shall be considered to be in violation of these measures and all work shall be stopped until the work zones are mowed and the residual vegetation shall be removed from the work zones; if the vegetation is maintained at less than 8 inches, removal is not required. All construction equipment, work vehicles, and personal vehicles shall be staged in mowed areas or existing parking lots. No equipment will be allowed in areas of suitable habitat that have not been mowed and residual vegetation removed.

b) The Contractor will also prepare the work zones outlined above by removing any carcasses (road kill) on a daily basis Monday through Friday. Carcass removal can be done at any time throughout the day but the preferred timing is late afternoon. This will ensure that the nocturnal ABB is not drawn to the area by road kill from daytime traffic. Disposal of carcasses shall be at least 0.5 miles from project site. Carcass removal is not measured and paid for (see Method of Measurement and Basis of Payment).

c) It will be the responsibility of the Contractor to provide the Project Manager with the documentation required to comply with and report on the above conservation measures. Documentation should include dated photos of carrion removal and of vegetation height. The carrion removal operation will be tracked by the Contractor on a form provided by the Project Manager. The mowing and vegetation removal done by the Contractor shall be verified completed by the Project Manager whom shall send a notice of completion to the Fish and Wildlife Service, Nebraska Game and Parks Commission, and NDOR.

4. Equipment (construction, work, and personal vehicles) can be driven and staged within the mowed work zones of the ROW only. No equipment will be allowed in the unmowed portion of the ROW.

a. Staging can take place on private property that has been previously disturbed, such as row crop fields, existing borrow sites, or any area that has been disturbed (disked, planted, graded etc.) in the past 6 months.

5. Any asphalt plant or borrow sites should be located in areas as described in 4a of these conservation measures.

a. If the Contractor chooses to utilize an undisturbed site(s), prior approval will need to be requested from the United States Fish and Wildlife Service and Nebraska Game and Parks Commission. Approval may take up to 60 days.

Contact Person: Eric Zach, Highway Environmental Biologist (402) 479-4766

#### Method of Measurement and Basis of Payment

Mowing shall be measured by the hour of approved equipment during mowing operations. Carcass removal is not measured and paid for and shall be considered subsidiary to other items of work for which direct payment is made.

1. **Pay Item**

**Pay Unit**

Mowing

Hour (h)

2. The cost of all repairs, depreciation, insurance, taxes and other incidental costs, including all wage expense incurred for operators, forepersons, supervisors and timekeepers is subsidiary to "Mowing".

3. Payment is full compensation for all work, mowing and vegetation removal, prescribed in this provision.

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Upon execution of the contract, the plans will be revised to reflect this change.

DEPARTMENT OF ROADS

***Original Signed by Claude Oie***

Claude Oie  
Construction Engineer

Issued: August 26, 2009

CO:815AD109

NOTICE: Only the contractors issued bidding proposals receive this addendum and responsibility for notifying any potential subcontractors or suppliers remains with the contractor.